

AMENDED IN SENATE JUNE 24, 1999

AMENDED IN SENATE JUNE 7, 1999

AMENDED IN ASSEMBLY APRIL 28, 1999

AMENDED IN ASSEMBLY APRIL 13, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 181

Introduced by Assembly Member Zettel

January 19, 1999

An act to add and repeal Section 1596.7927 of the Health and Safety Code, relating to care facilities, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 181, as amended, Zettel. Child day care: public recreation program.

Existing law, the California Child Day Care Facilities Act, provides for the licensure and regulation of child day care facilities. Existing law exempts from the act certain public recreation programs, including a program operated only during hours other than normal school hours for grades K-12, inclusive, in the public school district where the program is located, or operated only during periods when students in grades K-12, inclusive, are normally not in session in the public school district where the program is located, for under 16 hours per week.

This bill would establish, upon the approval of the City Council of San Diego, a 2-year pilot project known as the “6 to 6” program in San Diego County. The pilot project would consist of an extended schoolday program, meeting specified conditions, operated by ~~an individual~~, a community-based organization, child care agency, or other entity pursuant to a contract with a public school district or the City of San Diego. The bill would repeal these provisions as of January 1, 2002.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1596.7927 is added to the Health
2 and Safety Code, to read:
3 1596.7927. (a) (1) There is hereby established a
4 two-year pilot project in San Diego County, upon the
5 adoption of a resolution to that effect by the City Council
6 of San Diego. The program established for purposes of the
7 pilot project authorized by this section shall be known as
8 the “6 to 6” program.
9 (2) *The mission of the “6 to 6” program shall*
10 *encompass, but not be limited to, the following extended*
11 *schoolday activities.*
12 (A) *Homework assistance.*
13 (B) *Academic enrichment.*
14 (C) *Reading.*
15 (D) *Tutoring.*
16 (E) *Creative and performing arts.*
17 (F) *Sports and recreational activities.*
18 (b) The “6 to 6” program shall consist of an extended
19 schoolday program that is operated by ~~an individual~~,
20 ~~organization~~ a community-based organization, child care
21 agency, or other entity pursuant to a contract with a
22 public school district or city. The “6 to 6” program shall
23 meet all of the following conditions:
24 (1) The program shall be operated on a schoolsite that
25 is in current use by the public school or school district that

1 has collaborated with the City of San Diego for the
2 purpose of providing an extended schoolday program.
3 *The program shall serve the children who regularly*
4 *attend school within the district or districts, exclusively.*
5 *The hours of operation shall begin before school no earlier*
6 *than 6:00 a.m. and operate after school to 6:00 p.m., except*
7 *for evening parent meetings that may be scheduled later*
8 *than 6:00 p.m.*

9 (2) The city shall ensure that employees of the
10 operator of the “6 to 6” program have had a criminal
11 background check performed by the Department of
12 Justice and a child abuse index clearance, and that the
13 results of the criminal background check and child abuse
14 index have been returned to the city where they shall be
15 kept on file for purposes of notification of future
16 convictions of employees previously cleared.

17 (3) Any individuals employed as site supervisors shall
18 meet the center director qualifications specified in
19 Section 101515 of Title 22 of the California Code of
20 Regulations.

21 (4) All individuals employed by the “6 to 6” program
22 to serve as program aides shall be over the age of 18 years.

23 (5) *All staff shall have training in cardiopulmonary*
24 *resuscitation and first aid.*

25 (6) *All staff shall have a negative tuberculosis test or*
26 *chest X-ray within the last three years.*

27 (7) The contract with the city or school district shall
28 include, but not be limited to, all of the following:

29 (A) A requirement that site directors meet the
30 requirements for site directors of schoolage day care
31 centers set forth in Section 1597.21.

32 (B) A requirement that the contractor require a
33 child-to-staff ratio that is comparable to the pupil-to-staff
34 ratio set forth in Section 8483.4 of the Education Code.

35 (C) A requirement that the contractor comply with
36 sign-in and sign-out regulations otherwise applicable by
37 regulation to extended schoolday programs pursuant to
38 Section 101529.1 of Title 22 of the California Code of
39 Regulations.

~~(D) A provision guaranteeing the timely investigation of complaints and providing for the immediate administrative leave of contracted employees pending the outcome of the investigation in cases relating to allegations involving a substantial threat to the health and safety of the children under the contractors care.~~

~~(6)–~~

(D) A provision guaranteeing the city's timely investigation of accidents and complaints and providing for the immediate administrative leave of contracted employees pending the outcome of the investigation in cases relating to allegations involving a substantial threat to the health and safety of the children under the contractor's care. All parents shall be notified of the complaint process at the time of registration.

(8) All classrooms or portable classrooms utilized by the "6 to 6" program providing extended day care shall meet all standards applicable for use during the regular schoolday.

(c) The "6 to 6" program shall be planned through a neighborhood community collaborative partnership process that includes the city, school district, school administrators, government agencies, community organizations, parents, youth, and the private sector.

(d) In addition to the exemptions set forth in Section 1596.792, this chapter shall not apply to the "6 to 6" program if the contracting city ensures the program is operated in compliance with the requirements of this section.

~~(d)–~~

(e) (1) Upon the completion of the pilot project, an independent evaluation of the health and safety of the participants in the "6 to 6" program shall be conducted with a particular focus on children ages five to eight years, inclusive.

(2) The Community Care Licensing Division of the department and the city shall agree upon an independent evaluator. The city shall bear the cost of the evaluation.

(3) The evaluation shall determine whether the health and safety of the participants was any different under the

1 “6 to 6” program than would be expected under a similar
2 program that is licensed. The results of the evaluation
3 shall be forwarded to the Legislature.

4 (4) The city shall maintain any records necessary in
5 order for the evaluation to be completed. The city shall
6 compare the results of the evaluation to local community
7 care licensing data.

8 ~~(e)~~

9 (f) This section shall remain in effect only until
10 January 1, 2002, and as of that date is repealed, unless a
11 later enacted statute, that is enacted before January 1,
12 2002, deletes or extends that date.

13 SEC. 2. This act is an urgency statute necessary for the
14 immediate preservation of the public peace, health, or
15 safety within the meaning of Article IV of the
16 Constitution and shall go into immediate effect. The facts
17 constituting the necessity are:

18 In order to allow for the September 1999 establishment
19 of the extended schoolday program, and to efficiently
20 promote the public safety of children in day care and
21 public recreation programs within San Diego County, it
22 is necessary that this act take effect immediately.

